

House File 889

H-1433

1 Amend House File 889 as follows:

2 1. Page 2, after line 1 by inserting:

3 <Sec. _____. NEW SECTION. 94.1 Definitions.

4 As used in this chapter, unless the context otherwise
5 requires:

6 1. "*Applicant*" means a natural person who applies to be an
7 employee.

8 2. "*COVID-19*" means the novel coronavirus identified
9 as SARS-CoV-2, the disease caused by the novel coronavirus
10 SARS-CoV-2 or a virus mutating therefrom, and conditions
11 associated with the disease caused by the novel coronavirus
12 SARS-CoV-2 or a virus mutating therefrom.

13 3. "*Employee*" means a natural person who is employed in this
14 state for wages by an employer.

15 4. "*Employer*" means a person, as defined in chapter 4, who
16 in this state employs for wages, natural persons.

17 Sec. _____. NEW SECTION. 94.2 COVID-19 Vaccination
18 requirements or history — prohibited acts by employer.

19 An employer shall not fail or refuse to hire, discharge,
20 penalize, or otherwise discriminate against an employee with
21 respect to compensation or the terms, conditions, or privileges
22 of employment based on either of the following:

23 1. The employee's COVID-19 vaccination history.

24 2. The refusal of the employee to receive a COVID-19 vaccine
25 or provide proof of immunity.

26 Sec. _____. NEW SECTION. 94.3 Civil remedies.

27 An employee whose rights are violated under this chapter may
28 bring an action against an employer in the district court in
29 the county where the employer is located for injunctive relief,
30 actual damages, admission or reinstatement of the employee with
31 back pay plus ten percent interest, or any other appropriate
32 relief necessary to ensure compliance with this chapter.

33 Sec. _____. NEW SECTION. 139A.8B Immunization requirements
34 — exemptions.

35 Notwithstanding any provision of law to the contrary, a

1 person shall not be required to receive an immunization, gene
2 therapy, or other invasive medical procedure if either of the
3 following apply:

4 1. The person, or if the person is a minor, the person's
5 parent or legal guardian, submits to the person requiring the
6 immunization, gene therapy, or other invasive medical procedure
7 a statement signed by a physician, advanced registered nurse
8 practitioner, or physician assistant who is licensed by the
9 board of medicine, board of nursing, or board of physician
10 assistants that the immunization, gene therapy, or invasive
11 medical procedure required would be injurious to the health and
12 well-being of the person or any member of the person's family.

13 2. The person, or if the person is a minor, the person's
14 parent or legal guardian, submits an affidavit signed by the
15 person, or if the applicant is a minor, the person's parent or
16 legal guardian, stating that the immunization, gene therapy, or
17 other invasive medical procedure conflicts with the tenets and
18 practices of a recognized religious denomination of which the
19 person is an adherent or member.>

20 2. Title page, line 1, after <Act> by inserting <relating
21 to vaccinations, including by prohibiting certain mandatory
22 vaccinations and certain employment practices and>

23 3. Title page, line 3, after <contracts,> by inserting
24 <creating exemptions to mandatory vaccinations,>

25 4. By renumbering as necessary.

SHIPLEY of Van Buren